

WLAs for Stormwater - Development and Implementation Guidance

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Stormwater Permits

➤ Phase I

- multi-sector general permits (= industrial permits)
- construction general permits > 5 acres
- Individual permits with stormwater discharges, incl. large municipal separate storm sewer systems (MS4s)



Stormwater Permits

➤ Phase II

- Construction general permits 1-5 acres
 - In VA, also activities < 1 ac and >2,500 sqft in CHes Bay Pres Act localities
- Small MS4s
 - In urbanized areas (defined based on 2000 Census)
 - Facility-based such as hospitals, prisons and roads wholly or partially located within an urbanized area
 - Outside urbanized areas but connected to and contributing substantial pollutants to regulated MS4



Stormwater Permits

- Any stormwater discharge must be included in WLA portion of TMDL if
 - Stormwater causes or contributes to non-attainment of water quality standards
 - Stormwater sources are subject to NPDES permit program



Stormwater Permits in VA

<u>Category</u>	<u>Permitting Agency</u>
➤ Industrial Stormwater (Phase I)	➤ DEQ, DMME (mining)
➤ Construction Stormwater (Phase I, Phase II)	➤ DCR
➤ Municipal Separate Storm Sewer Systems (Phase I, Phase II)	➤ DCR
➤ Other Storm Sewer Systems in urbanized areas (Phase II)	➤ DCR



Outline of Issues

➤ During TMDL development

- Determination of stormwater as a pollutant contributor
- Definition of areas covered by stormwater permits
- Definition of owner/operator
- Modeling loads – data needs
- Assigning allocations – WLA assumptions

Outline of Issues

- During TMDL implementation
 - Linkage between MS4 permits, TMDL WLA and TMDL implementation plan
 - Numeric vs. BMP-based implementations
 - Permits must be “consistent with assumptions and requirements of any applicable WLA”



Two Documents

- DEQ Guidance Document on Developing TMDL WLAs for Stormwater Sources
- TMDL Report implementation chapter including a section on implementation of stormwater WLAs



DEQ Guidance Document on Developing TMDL WLAs for Stormwater Sources

- Draft in agency review
- Based on past experience and recent discussions with DCR TMDL and Stormwater Program staff, localities and internally
- Balance between consistency and flexibility
- External review to follow



Draft Outline of Guidance Document

1. Introduction
 2. Background
 3. Determining the Need for a Wasteload Allocation
 4. Data Needs
 5. Modeling
 6. Developing Waste Load Allocations
 7. Presentation of Stormwater Permit Information
 8. Implementation of Stormwater WLAs
- Appendix I – EPA’s Nov 22, 2002 Memorandum on TMDLs and Stormwater Permits
- Appendix II – Excerpts from EPA’s “NPDES Storm Water Program Questions and Answers”, January 21, 2004
- Appendix III – Template for TMDL Report WLA implementation section



TMDL Report Implementation Chapter

- Includes a section on implementation of stormwater WLAs
- General idea: implement through MS4 permit requirements using BMP approach (DCR)
- Stormwater WLA section appended to Guidance document, can be reviewed together with guidance
- Allows specific language to be developed on a case-by-case basis

